

The Department of Defense Energy Security Act

Section by Section Summary



Section 2

Requires the Department's Energy Performance Plan to be submitted annually to Congress alongside the required Energy Performance Goals Report and also be an included requirement within the:

- a. National Security Strategy
- b. Department Budget Request
- c. Quadrennial Defense Review
- d. National Military Strategy

CURRENT REQUIREMENT: DoD is only required to submit their Energy Performance Goals but not to submit implementation plan to meet those goals. There is no standing requirement that energy goals or a plan to meet those goals be considered within the context of other key strategic goals that govern defense planning and spending.



Section 3

Provides a preference in procurement for goods and services produced or provided using sustainable, energy efficient and energy reducing practices

CURRENT REQUIREMENT: Similar language contained within EO 13423 but does not exist in code.



Section 4

Encourage increased renewable energy development by requiring the Department beginning in FY2016 to meet its renewable energy goals by procuring or producing 50% of its energy from new renewable sources that go online after 1 January 1999 and 20% from sources that go online after 30 September 2009. Also, require an implementation plan to meet these goals.

CURRENT REQUIREMENT: Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) requires that not less than (1) 3 percent in fiscal years 2007 through 2009; (2) 5 percent in fiscal years 2010 through 2012; and (3) 7.5 percent in fiscal year 2013 and each fiscal year thereafter of electricity be produced or procured from renewable energy sources.

Executive Order 13423 already stipulates that at least half of the statutorily required renewable energy consumed by the agency in a fiscal year comes from new renewable sources that go online after 1 January 1999. Additionally section 2852 of the National Defense Authorization Act for 2007 (10 U.S.C. 2911 (e)(1)) requires that not less than 25% of all electricity consumed be produced or procured from renewable energy sources by 2025.



Section 5

Permits the Department to specifically consider electric, hybrid-electric, and high-efficiency vehicles and high efficiency buildings as part of their larger Energy Performance Plan

CURRENT REQUIREMENT: Under 10 USC 2911(c) there are a number of other considerations, but this would codify as minimum requirements within the Energy Performance Goals and Plan these other essential parameters.



Section 6

Requires that all contracts signed with tenants, concessionaires and other contractors operating at any government owned facilities also comply with these regulations

CURRENT REQUIREMENT: Similar contractual requirements exist but none specifically address requiring compliance with the standards outlined here at all government facilities.



Section 7

Authorizes \$180 million for the Energy Conservation Investment Program (ECIP)

CURRENT REQUIREMENT: Annually, the President requests and the Committee authorizes roughly half this amount. Additional funding would allow the Department to buy down inefficiencies quicker, saving additional funding over the near- and long-term.



Section 8a

Requires the Department to assess all facilities not scheduled for replacement in the 2011 FYDP for potential insulation improvements

CURRENT REQUIREMENT: There is no current requirement to study potential savings derived specifically from insulation improvements to existing facilities.



Section 8b

Requires each Service to comprehensively evaluate the energy and water performance of each of its installation facilities within four years and implement within two years of each evaluation any additional cost saving measures identified

- a. Includes a requirement for verification of performance and savings
- b. Facilities set for replacement during or before the FY11 FYDP are exempted

CURRENT REQUIREMENT: Under the Energy Independence and Security Act of 2007, energy audits are required of all federal facilities. However the savings improvements identified are not required to be implemented, and. This provision would specify a program within the Department to meet the EISA requirements while providing other specific information and authorities to effectively enact cost saving measures at Department facilities.



Section 8c

Requires high efficiency insulation be installed where cost effective on all climate controlled facilities at forward operating bases

CURRENT REQUIREMENT: While no current requirement exists, a Department pilot program, dubbed Operation Igloo, has shown reductions in fuel consumption varying from 45% to 75% due to installation of spray foam at forward operating facilities. During a Readiness Subcommittee hearing in Spring 2009, this program was referred to as a “no brainer” by witnesses and has received support from Department leadership.



Section 8d

After FY2021 require on-site renewable electricity generation to offset 20% of energy consumption by all facilities constructed in each fiscal year.

CURRENT REQUIREMENT: There is no current requirement for on-site renewable generation at new Department facilities. The current building standard, LEED Silver certification, may be achieved without renewable generation. This new requirement for on-site renewable generation would contribute to existing DOD renewable requirements.



Section 9

Requires the Department to convert all non-tactical vehicles to hybrid, hybrid-electric, electric, or other high efficiency vehicles by Fiscal Year 2016;

- a. Contractors operating government-owned vehicles are also required to comply;
- b. Vehicles on a replacement cycle of greater than 10 years are exempted from immediate replacement but must be replaced upon the end of their cycle in accordance with this provision;

CURRENT REQUIREMENT: There is no current requirement to convert the Department's fleet of non-tactical vehicles.



Section 10

Requires each Service to study the incorporation of hybrid drive technology and the costs associated with integrating them into existing vehicles during scheduled reset and recapitalization activities;

CURRENT REQUIREMENT: There is no current requirement to study incorporating hybrid drive into existing vehicles.



Section 11

Requires a testing and certification plan to develop and make operational by FY2017 a non-food stock competing bio-fuel for aviation applications;

CURRENT REQUIREMENT: Section 334 of the 2010 NDAA requires an assessment of the use of various alternative fuels for various applications, but there is no specific requirement for a testing and certification plan nor a timeline for development.

Reporting

1. Provide reports on Department implementation of this Act to the Chairman of the appropriate Committees of jurisdiction on a quarterly basis and, additionally as the Chairman may require;

Waivers

1. Such enactment may be waived if the Secretary certifies to the Congress that implementation would adversely impact U.S. national security;
2. The Director of National Intelligence in consultation with the Secretary of Defense may exempt an intelligence activity of the United States, and related personnel, resources, and facilities, from the provisions of this Act to the extent the Director and Secretary determine necessary to protect intelligence sources and methods from unauthorized disclosure.